

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

<p>LYNETTE ARMSTRONG, on behalf of herself and all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>TANDYM GROUP, LLC,</p> <p style="text-align: center;">Defendant.</p>	<p>Case No. 1:24-cv-03072</p> <p style="text-align: center;">CLASS ACTION</p>
<p>MATEO GOMEZ, individually and on behalf of all others similarly situated,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>TANDYM GROUP, LLC,</p> <p style="text-align: center;">Defendant.</p>	<p>Case No. 1:24-cv-03585</p> <p style="text-align: center;">CLASS ACTION</p>

ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION TO CONSOLIDATE CASES TO SET A SCHEDULE FOR THE FILING OF CONSOLIDATED AMENDED COMPLAINT

This matter is before the Court on the Motion of Plaintiffs in the above captioned actions to consolidate the actions and to set scheduling deadlines and permit the filing of a single consolidated complaint.

Having reviewed the Motion and having found that the cases involve the same issues of fact and law, grow out of the same alleged data breach involving Tandym Group, LLC, have

many of the same claims, and have proposed class definitions that will encompass the same persons, this Court finds that the cases have sufficient commonality of issues and parties to warrant consolidating the cases. This Court further finds that the benefits of consolidation are not outweighed by any risk of prejudice or jury confusion. The effect of such consolidation will be judicial economy and preserving the Parties' resources, as well as avoiding disparate rulings in separate actions.

Accordingly, because this Court finds that the Related Actions have sufficient commonality of law and fact and consolidation does not increase the risk of an unfair outcome, and for good cause shown, the Motion is **GRANTED**. As such, the Court **ORDERS** the following:

I. Consolidation of the Related Actions.

The above-captioned actions shall be **CONSOLIDATED** for all purposes into the *Armstrong* Action, which is the lowest numbered case. All future pleadings, motions, briefs, and other papers shall be filed in the *Armstrong* Action, No. 1:24-cv-03072 which shall hereinafter be a Consolidated Action. The Clerk is DIRECTED to close the *Gomez* Action and the Court further orders that each new case that arises out of the subject matter of the Consolidated Action which is filed in this Court or transferred to this Court, shall be consolidated with the Consolidated Action and this Order shall apply thereto, unless a party objects to consolidation, as provided for herein, or any provision of this Order, within ten (10) days after the date upon which a copy of this Order is served on counsel for such party, by filing an application for relief and this Court deems it appropriate to grant such application. Nothing in the forgoing shall be construed as a waiver of Defendant's right to object to consolidation of any subsequently-filed or transferred related action.

II. Schedule for the Consolidated Amended Complaint

Plaintiffs shall file a Consolidated Amended Complaint within 28 days after entry of this Order. Defendant shall file a response to the Consolidated Amended Complaint within 28 days of its filing. In the event that the Defendant's response is a motion to dismiss, Plaintiffs shall have 28 days to file a response to the Motion to Dismiss.

The Clerk is directed to terminate the motion at ECF No. 26 in Case No. 24cv3072 and to close Case No. 24cv3585.

It is so ORDERED.

July 12, 2024

Date



J. PAUL OETKEN
United States District Judge